

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT HUNTINGTON**

JUSTIN ADKINS, et al.,

Plaintiffs,

v.

CSX TRANSPORTATION, INC., et al.,

Defendants.

Civil Action No. 3:18-CV-00321  
Hon. Judge Robert C. Chambers

**AGREED ORDER OF DISMISSAL**

On this day came Plaintiffs, Tony Abdon; Brandon Adkins; Justin Adkins; Bobby Akers; Gerald Barber; Jason Barker; John Bills; James Blain; Justin Blake; Devery Brown; Michael Campbell; John Carpenter; Quincy Christian; Michael Clark; James Deal; Joshua Ferguson; Jerry Flocker; John Frasure; Edwin Glowacki; Gregory Hamm; Dennis Hutchinson; Jonathan Jeffers; Eric Jordan; Grover Kelley; The Estate of Chad Little; David Manis; Jacqueline Marshall; Homer Maynard; Scott Morrison; Robert Mosteller; Ethan Mullins; Jeremy Napier; Michael Owens; Kevin Palmer; Shawn Patterson; Michael D. Potter; Michael L. Potter; Samuel Preston; Jonathan Rowe; Dennis Sargent; Eric Speaks; Donald Stephens; Clay Stiltner; Todd Thayer; Travis Thornsberry; Jesse Wallace; Lloyd Williams; Michael Williams; Timothy Witt; and Matthew Woods (hereinafter “above-listed Plaintiffs”), by and through counsel, Kenneth R. Reed, Gregory G. Paul, Jeffrey R. Dingwall, C. Kiel Garella, Mark F. Underwood, and John Patrick L. Stephens; and Defendants, CSX Transportation, Inc., Craig S. Heligman, M.D., Gus Thoele, Curt Shogren, Milton Storm, Delando Jones, Tom DeAngelo, Shawn Lusk, Elizabeth Creedon, and Kenneth Ray Emerson, (collectively, the “Defendants”); by and through counsel, Melissa Foster Bird, Samuel L. Tarry, Jr., and Davis M. Walsh; and hereby jointly announce to the Court that all matters in

controversy between the above-listed Plaintiffs and the Defendants in the above-referenced matter have been resolved. Accordingly, the above-listed Plaintiffs and the Defendants jointly move this Court to dismiss any and all claims against the Defendants, with prejudice, in the above-referenced matter.

WHEREFORE, the Court, having considered the request of counsel, and being otherwise sufficiently advised, hereby **ADJUDGES, ORDERS AND DECREES** that claims of the above-listed Plaintiffs against the Defendants are **DISMISSED WITH PREJUDICE**. The above-listed Plaintiffs and the Defendants shall bear their own costs.

The Court further **DIRECTS** the Clerk to send a copy of this Agreed Order of Dismissal to all counsel of record.

Entered this the 11<sup>th</sup> day of July, 2022.

  
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Honorable Robert C. Chambers

Presented by:

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